

## NAYS—19

Blackburn	Hyde-Smith	Scott (FL)
Boozman	Johnson	Scott (SC)
Braun	Lankford	Shelby
Cotton	Lee	Sullivan
Cruz	Lummis	Tuberville
Hagerty	Marshall	
Hawley	Paul	

## NOT VOTING—1

Inhofe

The nomination was confirmed.

## LEGISLATIVE SESSION

The PRESIDING OFFICER (Mr. KAINE). Under the previous order, the Senate will resume legislative session.

The PRESIDING OFFICER. The Senator from Connecticut.

## UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MURPHY. Mr. President, as if in executive session, I ask that the motion to reconsider with respect to the Pagan nomination be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ENERGY

Mr. MURPHY. Mr. President, I come to the floor this evening to offer a few remarks about claims that have been made on this floor over the course of the last few days regarding the path forward to American energy independence.

The oil industry—reaping record profits in the billions of dollars—is taking advantage, quite artfully, of the crisis in Ukraine to make arguments to the U.S. Congress and this administration that they should be given new liberties to drill on lands in the United States to be able to reap even greater profits.

And the claim that the oil industry makes that is often parroted by friends inside this body is that the path to American energy independence runs through drilling for more oil in the United States of America. That is not true. That is an oil industry talking point. That is a means by which the industry can get Congress and the administration to provide them with new opportunities for more profit.

But the facts belie the argument that America could achieve energy independence solely through drilling for more oil and exploring for more gas in the United States. Why do we know this? Well, we know this, primarily, because the oil industry doesn't drill in the United States to benefit our national security. They drill in the United States to make money. And the reality is, when the price of a barrel of oil is too low compared to the cost of pulling it out of the ground in the United States, the oil companies don't drill. Right now, for instance, the oil industry has thousands of leases to drill on public lands that they are not utilizing.

As you would hear it on the floor of the Senate, the failure to be energy

independent is Joe Biden's fault because he is not providing for any new leases on public lands. Well, you do not need any new leases on public lands because there are thousands of leases that the oil industry already has to drill that they just are not using. There is nothing in the ground. There is no oil coming up. And the reason for that is, well, the economy was in shambles, so there wasn't demand; the price of oil was down so that the companies didn't see a big enough profit; there is a general workforce shortage right now in the industry. But none of those reasons are Joe Biden. Those are market-based reasons why the oil industry has not been drilling on land they already own.

The second reason why there is not a path to energy independence through drilling alone is because the oil that we drill in the United States, it doesn't stay in the United States. Some of it does, but much of it gets exported. In 2020, we were drilling about 18 million barrels a day in the United States. About half of that was shipped overseas. Only half of that stayed in the United States. I wanted to make sure that wasn't something we needed to pay closer attention to.

The oil that we drill in the United States doesn't stay here. It goes to the highest bidder. In fact, often, the oil we drill in the United States is going to China. For as hard as my friends on the other side of the aisle say we should be on China, the reality is, during some months of the last several years, America was sending record amounts of oil from U.S. oil production facilities to the Chinese Government.

It just isn't true that there is a path to American energy security simply by drilling for more oil in the United States. That oil only comes out of the ground when the price is high enough. The oil industry doesn't drill to be patriotic. They drill to make money. And there is never a guarantee that that oil or that gas stays in the United States; much of it is sent overseas.

As I mentioned, there is also no argument to be made credibly that Joe Biden is waging some war on American energy independence.

The two biggest changes that are often cited that the President made: One is, as I referenced, this pause on new leases on public lands. That just has very little impact because, first of all, very little of the oil that the industry drills is on public lands. Only 10 percent of the oil the industry drills is on public lands. Ninety percent of it is on privately held lands, so a pause on 10 percent of the leases just doesn't have a macro effect on oil drilling.

Second, any leases that the administration would give out right now, they don't end up in drilling occurring for years. So whether or not we are pausing or not pausing leases on 10 percent of the opportunities to drill in the United States, that has an impact years from now, not today.

The argument is, "Well, the President stopped the Keystone Pipeline

from going into effect." Same thing. The Keystone Pipeline was years out; and, second, most of the Keystone Pipeline oil wasn't staying in the United States. Most of that oil was going to be shipped overseas.

There is a reason why the Keystone Pipeline was ending up near the terminals in the Gulf that ended up sending oil to places other than the United States. Once again, the Keystone Pipeline was not a guarantee for American energy independence; that was a guarantee that the majority of that oil was going to end up in some other country.

And so if you are serious about energy independence, then you are not serious if you are talking about getting there through drilling. This is not a serious solution, because the facts tell you that the drilling only happens when the oil industry makes enough money and that the lion's share, at least half of that oil and gas, can end up going overseas, not to American consumers.

Do you know how you do make this country energy independent? Investing in renewables, because we don't ship wind power overseas. We don't ship solar energy overseas. When a wind turbine is running in Iowa or a solar panel is generating energy in California, that energy goes straight onto the American grid. That energy stays right here in the United States.

Now, it also has a tremendous benefit of being clean energy, of not contributing to the warming of the planet. That alone is a good enough reason to prioritize clean energy over fossil fuel energy, but renewable energy also has the benefit of being truly domestic energy; truly secure, American-only energy, as opposed to fossil fuels, which only get turned on when the price is high enough and often end up leaving the United States to other countries.

Those are the facts. The oil industry delights when crises like this occur and the prices go up at the pump, and friends of theirs come down and claim that the only path to energy independence is through more drilling. But the problem is it just isn't true.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARRASSO. Mr. President, I come to the floor today to talk about our Nation's energy policy and the crisis that we find ourselves in as the cost of energy continues to go up and up and up.

Right now, gas prices are nearly double what they were the day that Joe Biden became President of the United States.

So you ask: Why is this happening? That is what consumers, that is what

people in my home State of Wyoming are asking about. What has happened? How is it that it has gone up so much?

Sure, there is the war in Ukraine, but the prices have been going up day by day by day after Joe Biden became President, and the reason, I tell people at home, is because Joe Biden has declared war on American energy—the policies of this administration, the policies of the Democrats in this body and across the way in the House.

On day No. 1, Joe Biden shut down the Keystone XL Pipeline; he shut down oil and gas leases on Federal lands; and he shut down the exploration for energy in the Arctic.

My colleague the senior Senator from Alaska, who previously had chaired the Energy Committee in the Senate, has said that we are actually, in the United States, using more energy from Russia, more oil from Russia than we are from Alaska, her home State, a State in the United States.

Now we see the President's appointees making it almost impossible to build gas pipelines. So even if you were able to explore and discover energy—oil, gas—you can't get it to market because they are blocking pipelines all across the country.

And the FERC—the Federal Energy Regulatory Commission—just a week and a half ago revised its guidelines to make it even tougher.

They talk about oil and gas leases. Once you get a lease—you pay for a lease to explore for energy—you have to come to the government for permission to drill for it. You actually have to pay money to apply for permission to drill. It is actually called an Application for Permit to Drill. And the Biden administration last month said, "We are not going to give you any more of those," to anybody who wants to explore for energy on public lands. And, in fact, there are about 4,600 of those stuck in limbo right now.

In my home State of Wyoming and across the country, people are asking: How can a President put such a radical and self-destructive agenda which we have to live under?

And what I tell them and what they understand is that the Biden administration is completely controlled by the climate elitists, the climate alarmists who dictate the policies of the Democratic Party in this country.

So just look at Joe Biden's climate czar. Now, that is kind of a nickname for the position, but the reality of the title is the U.S. Special Presidential Envoy for Climate. It is John Kerry. So this is a very high position in this administration.

He didn't come to the Senate for confirmation. Oh, no. They wouldn't risk putting something like that up here because then John Kerry would have to answer questions.

But John Kerry, no question about it, does speak for the administration. Joe Biden appointed him. John Kerry and Joe Biden served together in the Senate, in this body. I served with both of

them on the Foreign Relations Committee. John Kerry was a previous Secretary of State of the United States at the time that Joe Biden was Vice President of the United States.

So the position of John Kerry is also the position of this administration, otherwise, why would he be the Special Presidential Envoy for Climate? When John Kerry speaks, it is Joe Biden whom he speaks for.

Well, John Kerry and this administration have a delusional obsession, and their delusional obsession is with climate. John Kerry and this administration are so obsessed with our climate that they believe it is more important than our energy security and than our national security.

Now, there are countless examples. And I just want to go through a couple of them that have occurred just within the last 3 weeks, just within the time that Vladimir Putin's soldiers have encircled Ukraine and now have attacked Ukraine, continuing to kill innocent civilians.

The night before Vladimir Putin invaded Ukraine, with the troops at the ready, John Kerry actually told the BBC in an interview that he was worried about the carbon emissions that would result from the war—the carbon emissions, not the death, not the destruction, not the suffering; no, the carbon emissions.

He also said—I mean, it is astonishing. People listened, and they said: This can't be the position of the administration of the President of the United States. But yet it is the position of John Kerry, the President's Special Envoy, that war would be a distraction, would distract from the climate agenda.

John Kerry went on to say this. He said:

I hope President Putin will help us to stay on track with respect to what we need to do for the climate.

Let me repeat. John Kerry, Special Envoy, speaking for the President of the United States:

I hope President Putin will help us stay on track with respect to what we need to do for the climate.

John Kerry believes, by his statements and others that I will get to, that what is happening with the war in Europe is a distraction from the real issue of the day, the key issue—climate change.

People are being murdered in the streets, Vladimir Putin is conducting nuclear drills, and the President's key spokesman on issues affecting energy in this country is hoping that President Putin will help us stay on track, and what is happening there is a distraction.

This is absurd. John Kerry thinks that Vladimir Putin cares about the climate? It is impossible. Putin just yesterday bombed a maternity ward. Putin's forces have killed dozens of children. Yet John Kerry is desperately waiting by the phone, clinging to the hope of a phone call from Vladimir Putin.

I hope John Kerry isn't holding his breath waiting for Putin to address the issue of climate.

Now, in the very same interview, John Kerry was asked about the possibility that Russia would invade Ukraine.

John Kerry's answer is this. The former Secretary of State, former chairman of the Foreign Relations Committee, said: "I thought we lived in a world that said no to that kind of [thing]." What kind of a world is John Kerry living in? Sounds like a nice place. It is not the real world—not the world we live in, not the world that is right now wreaking havoc on the people of Ukraine.

The fact that John Kerry, the President's spokesman on issues of climate, said this out loud in public just shows that John Kerry and this administration—in terms of their position on energy and energy security and national security, it must put them in the position of being the most naive people on the face of the Earth. John Kerry flying around the world in his private jet, representing the administration, worrying about the carbon emissions of a war, whereas we know as of now that thousands of innocent people already have or will lose their lives.

Then on Monday, just 3 days ago, I believe John Kerry made it worse. At that point, the tanks were in the streets, Russia was on the attack, people were dying, and millions of people have left the country of Ukraine, seeking asylum, seeking help, seeking relief, going across the border, seeking humanitarian care, and John Kerry, in a heartless statement, said the 2 million Ukrainian refugees were nothing—John Kerry—nothing in comparison to the refugees who will flee a warmer climate someday. Someday. Two million refugees—nothing compared to what may happen someday with climate change.

This is the world's largest refugee crisis in the last 70 years, since World War II. There are 2 million Ukrainians now displaced, trying to get out of the country of Ukraine, some losing their lives—they think they are going on safe corridors—being killed by Putin as he bombs them as they think they have safe passage.

John Kerry doesn't seem to be impressed, which, to me, means Joe Biden is not impressed; the administration is not impressed because Joe Biden has allowed John Kerry to continue to this very day, to this very moment, to speak for this administration as the climate envoy.

John Kerry should be fired. If he is not, he continues to speak for the President of the United States because John Kerry—which means this administration is more concerned about a hypothetical event in the future than what is happening on the face of the Earth right now.

This is an obsession. This is delusional. And the obsession explains a lot. It explains why this White House

always puts environmental fantasies ahead of American security and American energy. That is what we are seeing. This administration puts climate ahead of jobs. It puts climate ahead of bringing prices down. It puts climate ahead of working families. The administration puts climate ahead of our allies. We have sky-high gas prices, the highest of all time. You know, we see inflation is the highest in 40 years. We got the new bad inflation numbers again today, which are hurting our families. We can't keep up. Wages can't keep up. A 40-year high inflation but the worst of all time highest gas prices ever. We have the worst prices in Europe in decades and decades and decades. And the Biden administration won't even consider—won't even consider—producing more American energy.

Earlier today—today—Reuters reported the White House has decided not to boost exports of liquefied natural gas to Europe. They are pleading for it. They want it. We have it in abundance. Now, the administration won't let us build the pipelines to move it, won't let us explore for it, but we have plenty of it here in the United States. They are desperate, and they are trying to break the ties they have to Russia.

The report from Reuters today says: "The White House was weighing the announcement of . . . ways to boost LNG exports to Europe . . . However"—however; wait a minute, not going to happen—"the interagency review has been shelved . . . after some in the White House argued"—some in the White House argued; not a supply and demand issue—and I see the junior Senator from Maine here, who talks about a supply and demand issue with regard to LNG. Oh, no. Those in the White House argued that "it would counter the administration's efforts." Letting our friends and colleagues in Europe who need our LNG, of which we have an abundance—oh, no. "[I]t would counter the administration's efforts to wean the U.S. off fossil fuels."

Once again, this White House, with John Kerry the spokesman and it looks like Joe Biden the lapdog—whatever John Kerry says, we are going to do—has put climate before our national security and before our energy security.

It is time for the administration to get its priorities straight, and it is time to remove John Kerry from this position. It is time for Joe Biden to wake up and to speak up. The climate elitists have done tremendous damage to our Nation and are continuing to do damage to our allies. For ourselves and for our allies, it is time to produce more American energy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, I hope the Senator from Wyoming will stay so we might have a discussion.

Why has the price of gasoline gone up? Why did it start going up about the

same time that Joe Biden became President? Was it because of the cancelation of the Keystone Pipeline? No. Most of the oil going through the Keystone Pipeline was scheduled to be exported, so I don't think that was it. Was it a pause in leases that wouldn't have produced oil for 3 or 4 years? No. There are something like 8,000 leases that are currently in place that aren't being drilled upon, so I don't think that did it.

Do you know what caused gas prices to go up? The extraordinary recovery that the economy went through starting in early 2021, after Joe Biden became President—one of the quickest recoveries in our history from a recession.

If you look back to the recession of 2007 and 2008, you see a slow—I call it a lazy U. You see a downward of the recession, and then jobs and the economy came back very slowly over 5, 6, 7 years. The recession recovery from 2021, from the pandemic recession, is a V, and we recovered virtually all of the jobs that were lost during the pandemic in the last 14 months. GDP has grown as fast as it has in our history. The economy came back enormously rapidly.

Oil was down in 2019 and 2020 because of the pandemic. Demand collapsed—this is economics 101—demand collapsed, the price of oil collapsed, and then the recovery came, and the demand increased, but the production didn't increase.

Let's talk a little bit about oil in the United States. In 2021, half of the oil produced in the United States was exported. Did that do anything for our consumers? Did that do anything for the people who were paying higher and higher rates for gas?

The White House doesn't set gas prices. Presidents are always blamed for gas prices. I have never heard one given credit when gas prices are low. But the truth is, the price of gas depends upon the price of oil, and the price of oil depends on the world market, and the price of oil in the world market depends upon supply and demand.

I am old enough to remember the Arab oil embargo in the seventies. Why did prices go up so much? Because the OPEC closed down the source, and supply dropped, and the price went up. That is economics.

So what happened during 2021? The price went way up. The oil companies made the highest profits they have made in 8 years. What did they do with that money? Demand is resurging. There is a need for more oil. Prices were going up. What did they do? They put \$100 billion into buybacks from their stockholders, and they put that much—the combination was \$100 billion in buybacks and dividends.

They had a choice. Did they put the money into production, which would have reduced the price because we would have higher supply? No. They made a deliberate choice to give the

money to their stockholders to bump up their stock price, which I suspect may have had a positive effect on the executive salaries, but they didn't increase production.

That is why we are in this problem that we are in now with high gas prices. Of course, the war in Ukraine has exacerbated that because we are cutting off purchases from Russia, which is one of the highest producers of oil in the world.

So if the idea is—you know, I keep hearing my friends on the other side trying to blame Joe Biden. If you want to blame him for anything, blame him for the quickest recovery from a recession in recorded history. And it was the recovery and the increase in demand that wasn't met by an increase in production that caused these high prices.

I read a quote this morning in the Energy and Natural Resources Committee. There was an executive who said: We made a promise to our shareholders that we were going to be disciplined and we were going to return the money to them.

He said: I guess the choice came down to keeping our promise to our shareholders or being patriotic.

Well, we know what choice they made.

So all this talk about the Biden administration's war on oil and it is what is causing what is going on at the pump—no. What is causing what is going on at the pump is low supply and high demand. That is what happened in 1972, that is what is happening now, and that is what happens whenever you get supply and demand out of balance.

As far as exporting LNG to Europe, I am all for trying to help our European allies. I am all for it. But we have to do it with open eyes. The more we export LNG, the higher the price is going to be here in the United States. Seven or eight years ago, the Australians went big into exporting LNG, and their domestic natural gas price doubled, and that is about what has happened here in this country. Five years ago, we exported zero LNG production. Now, it is about 15 percent, but with the plants that have been approved, it is going to go up to 25, 30, or 35 percent. That is going to impact prices here. That is going to be great for producers, but it is going to kill the competitive advantage that low gas prices gave this country. If it is \$13 in China and it is \$3 here, where do you think it is going to go?

That is what is going on here. This is nothing but economics. We need to understand that what has happened is the oil industry made a conscious decision last year—and when I say "conscious decision," I mean conscious. They had a choice: Do we invest in production and increase supply or do we give money to our shareholders in the form of dividends and stock buybacks? They chose the latter, and we are reaping the fruits of that.

So I am tired of hearing that somehow a pause in leases on Federal land

that wouldn't have produced any oil for 3 or 4 years is somehow the cause of the high prices at the pump. That is nonsense. The cause of the high prices at the pump is a lack of supply, and last year—talk about energy independence—we exported half the oil that was produced in this country.

We had a vote here 4 or 5 years ago, and we were told: If you allow—exports of oil were illegal until 4 or 5 years ago. We voted to allow it because we were told: Well, this won't really affect us because we have an excess of supply. It won't affect prices here in this country.

Well, that hasn't proven to be the case.

So what I would like to see is for all of us to work together, to think about—I am aware of policies involving pipelines and those kinds of things, and I believe that we have to make fuel available and energy available to all of our people. But let's be realistic about what is going on and not turn it into a partisan issue.

The only partisan issue here is that we have had a startling and extraordinary and, frankly, positive recovery of our economy. But we didn't have a recovery of the production of oil, which leads to the production of gasoline, which means a shortage, which means higher prices.

So I am delighted to engage in this debate, but I think we really ought to be trying to talk about the facts and talk about what is really going on here and what is really causing this problem.

I always want to learn more, and I learn from my colleagues. And I noticed that my colleague who just made the speech left, and he didn't seem to want to engage on this, which I think is unfortunate. I hope that perhaps here in the Senate we could actually have a debate and talk about what the issues are and what the reality is and quit just casting everything in a partisan way.

It has gotten to the point that, if Joe Biden walked out of the White House and walked across the Potomac River, the other side would say: The President can't swim.

Come on. Let's just talk about reality and not make everything about what is good for the administration or bad for the administration. Let's talk about what is really happening, and what is really happening right now is we have got solid demand in this country. The economy has come back, but we don't have enough production to meet that demand.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I did listen with great interest to every word of my colleague from Maine. We spend time together on the Energy Committee. He has lots of very good ideas, and we discuss things constructively.

When we talk about supply and demand, I just find it very interesting

that for something like natural gas, of which we have an abundance in Wyoming—and when I was in the Wyoming State Senate, natural gas prices were over \$16. With the renaissance of American natural gas energy and the production of something called fracking, prices dropped dramatically to the kind of numbers that the Senator from Maine mentioned earlier—to about \$3. It went down, way down.

That doesn't help the people in Massachusetts, where the price is \$18, because they can't get permission to have pipelines to deliver the affordable gas that we produce here. I mean, it is fascinating to take a look at Pennsylvania, which is half the price than in Massachusetts; and they are not too far apart. I just went out here, as the Senator was speaking, just to take a look and see what the differentials were in the prices. The price of natural gas is twice as high in Massachusetts as in Pennsylvania when they are less than 200 miles or 300 miles apart.

It has nothing to do with the availability of gas in the ground; it has to do with the delivery to the end user. That is the result of political decisions being made on the ground, in States, to prevent the infrastructure to deliver the material, to deliver the natural gas, that those people need.

It was even an issue on the ballot in my colleague's home State of Maine to move energy from Canada down to Massachusetts, and it was blocked by the voters in Maine, which is their right to do. They have a right to make those decisions as to what they want to vote for or against. And that was on the transmission of even renewable energy. Politics and decisions by either the administration or a State or voters make those decisions. So there is an abundance of natural gas, and there is a limitation on how you can get it to people because of political decisions.

I heard my colleague mention the number of leases that are out there. There are about 9,000 leases the administration continues to talk about, saying there are 9,000 leases of which nobody is exploring or that drilling hasn't been done.

Well, that is just the first step of getting a lease. It is like leasing an apartment: You pay the rent, but you need a key to get into the building. I mean, you pay the rent, and it is your apartment, but you can't actually get in until they give you the key. That is the same thing that happens here. You need to apply for permission to drill, and we know that the administration has said: We are not going to give any of those. There is no permission. Sorry. I know you paid for the lease, but we are not giving anybody a key. And they did that to about 4,600 recent leases.

Normally, some of those decisions are made at a local level but not in the Biden administration. Oh, no. Some assistant secretary said: Every one of them has to come to me.

I can get the documentation for the Presiding Officer or for my colleague and friend, the Senator from Maine.

This is a very heavyhanded administration when it comes to exploring for American energy, and they continue that way.

The President, when he was in Glasgow for the climate conference, I think surprised many of us when he asked OPEC+—“plus” being Russia—to produce and sell more energy to the United States. Over the last year, we have averaged about 670,000 barrels a day of oil coming in from Russia, which is more than we get from Alaska. The Keystone Pipeline, which the President killed on his first day in office, would have brought in over 800,000 barrels a day.

It is not that the President has been shy about the fact that he has done all of these things; he has taken great credit. I mean, look at the Presidential debates when President Biden—then Candidate Biden—said, if he got elected, there would be no oil and gas exploration on public lands—no leasing, no use. That is why they have shut down all of these applications for the permits to drill. That is why the administration has said: You are not taking it out of the ground.

This is a Presidential promise.

As of today, we continue to produce a lot less oil in the United States than we did at the height of our economic boom prior to the pandemic. We have about 1,400,000 barrels a day less in U.S. production today than we had during the height of the economy before the pandemic. So we have a lot of catching up to do.

When the administration says you can't bring it in from Canada because you are not going to have Keystone and then pounds its chest in pride, that is a political statement. When the nominee for the Secretary of the Interior says to leave it all in the ground—all of it—that is a political statement. When a local community says, “No pipelines in here. We don't care if the people in our communities have to pay twice what they are paying in our neighboring State,” that is a political statement. It is all based on climate because we have John Kerry and his words to prove it, as well as those of the President of the United States.

So I continue to enjoy having discussions with my colleague from Maine, and we will continue that on the Energy Committee, where he is a very productive member. There are areas we work together on and areas in which we disagree. People are entitled to their opinions.

These are the facts as to what is happening with American energy today and as of the needs of the Nation. As we have recovered and continue to recover from the pandemic, we are still very far behind in American energy needs, and it is the political activities of this administration that have limited our ability to return to our full, productive capacity.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. DURBIN. Mr. President, I would like to call the attention of my friend from Wyoming to a column today by Dana Milbank in *The Washington Post*. I think it is really worth reading in light of some of the things that have been said on the floor:

Canceling the Keystone XL pipeline caused gas prices to rise?

That has been said. Well, it is wrong.

It was only 10 percent [finished] when Biden canceled it, and its owners didn't expect to open it until 2023 at the earliest.

It had no measurable impact—maybe no impact—on current oil prices.

[The assertion that] Biden halted new drilling on Federal lands? Wrong. After a temporary halt in new leases, Biden has outpaced Trump in new drilling permits for public lands.

The *Post* has reported that publicly.

As for Biden's "shutdown of American energy," U.S. production has increased under Biden from 9.7 million barrels a day to 11.6 million barrels. The number of oil rigs operating was at 172 in July 2020, *E&E News* reports. Now, 519 are in operation. U.S. production is forecast to set a record next year.

What's holding back oil production—

according to Mr. Milbank—

isn't government policy. U.S. producers still have 4,400 wells already approved and drilled that are not yet producing. They aren't drilling more because of a shortage of workers and equipment and, particularly, investors' greed—

which, I think, the Senator from Maine was alluding to.

So some of the many things that have been said on the floor here as gospel have turned out to be somewhat short of factual.

I would concede that I listened to the Senator's statement earlier that this is a supply and demand issue at its heart. I do think there is some gouging going on. Maybe I am wrong. The fact of the matter is we are coming out of a recession—or at least out of a downturn in the economy—from COVID-19, and there is an exceeding demand and not much supply. The net result is inflationary, and prices have gone up at the pump. In terms of this administration's being at war with the production of oil in America, I don't think that case can be made.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, I certainly agree with the comments of the majority whip.

My friend from Wyoming will be surprised that I think we have some agreement on the issue of infrastructure.

When I was the Governor of Maine, we—we, the pipeline company but under the auspices of the environmental regulatory policies in Maine—constructed a brand new pipeline for natural gas from Nova Scotia through New Brunswick and through Maine into Massachusetts. I believe one of the problems we have is a lack of gas pipeline infrastructure, and that causes higher prices than there should be in New England.

I think the Senator and I agree on that. Where we disagree is on the extent to which any policies of this administration have affected the price.

As the Senator just pointed out, the Keystone Pipeline wasn't expected to deliver for another year or 2, and the express purpose of the Keystone Pipeline was to take oil from Canada to the Gulf Coast for export. It wasn't designed to service production in the United States.

As I say, the problem right now is that the high price of gasoline is the result of the rapidity of the economic recovery, which is a good thing. What is not a good thing is that the oil companies made a choice last year to invest in their shareholders and their stock prices rather than in producing oil.

I understand that to some extent because they took such a beating during the pandemic. It dropped so fast that oil was actually trading in negative territory for a period of time. Yet, once it became clear that the economic recovery was on track and that demand was solid and likely to remain so, that is when, I believe, those decisions about buybacks and stock dividends should have been reexamined in light of the need—the obvious need—for additional resources in this country.

So I appreciate this discussion. It is a rare day when actual debate breaks out on the Senate floor. I am delighted to have been able to have participated in it, but I think we ought to continue to remember that the issue here is supply and demand. Politics can affect these things on the margins, but the decisions of the producers are what really determine whether supply will match demand. If it doesn't, prices are going to go up, and the question then is, What do you do with the profits? That is the decision that was made last year.

I deeply hope that the industry is reexamining that decision, particularly in light of current prices and the situation in Ukraine, and will ramp up production in a way that will bring prices down and allow us to enjoy the full fruits of the recovery that we have seen, not undermined by inflation, which has been led by the cost of fuel.

THE PRESIDING OFFICER (Mr. OSSOFF). The Senator from Vermont.

Mr. LEAHY. Mr. President, I know Senators are waiting on movements on both sides, but I just want to reiterate what I said earlier this afternoon. We have before us a message from the House—the omnibus. I would point out that both Republicans and Democrats have had an enormous amount of input into this for over the past several months. I know that because the Appropriations Committee staff has worked so hard on it—again, both sides of the aisle.

Earlier today, I put into the *RECORD* the names of members of my staff who have worked on this. I would just mention to other Senators, there are many times I would be on phone calls with them and conference calls at 10 and 11

at night. I can then go to bed. They were still there at 2 or 3 o'clock in the morning. I know that a number of them have given up time with their families over the weekend. I would be checking in with them or come down and meet with them, but I could go home. They kept on working. I think we have to understand, if it were not for such dedicated staff members, this Senate could not exist.

We have a complex package before us, but in a way, what we have here is a simple matter. Everybody has had input into it. As chairman of the Senate Appropriations Committee, I tried to make it open to everybody. The vice chairman, Senator SHELBY, a close friend of mine, has done the same on his side. People have been heard.

Now comes the time when we have to vote. The government runs out of money at midnight tomorrow. Look what faces our country. We, as the leading democracy in the world, are trying to stand up for Ukraine.

I applaud President Biden. He and I sometimes joke that when I came here, I was accused because I was 34 years old—the Presiding Officer can understand this feeling—I was accused by very senior Senators of being too young to be in the U.S. Senate. Fortunately, I was not the youngest. The youngest was Senator Joseph Biden of Delaware. We formed a bond over that. We worked together on so many things. I watched him in the Foreign Relations Committee; I watched him in the Judiciary; and I watched him as Vice President and now as President.

I have seen him tirelessly, quietly, a lot of it not in the full light of the press but just doing what he has to do, calling leaders who respect him around the world, forming a coalition in Ukraine, to say: Here is how we will stand up against Russia.

I know so many of the Russian people are good people but being led by a person who has demonstrated activities which make him a war criminal. What has happened when mothers, fathers, and their children are machine-gunned to death on the streets of the city they grew up in by Russian invaders? This is a war crime when Vladimir Putin sends them there.

In this omnibus, we have support for the Ukrainian people. Let's stand up. Let's deliver this support. Let's do what we should do. Let the Senate be the conscience of the Nation. Let's not have a dozen or more amendments that are designed more for "Here is how I can get 30 seconds on the news" or in a Twitter account or somewhere. Let's do what is best for this country. Let's do what is best for the people in Ukraine.

Look at the lies—look at the lies that have come out of Russia. I don't say it lightly after 48 years here to call the leader of a country a war criminal, but Vladimir Putin has been a war criminal. He has been a war criminal in having people go in and do the horrible crimes—blowing up maternity hospitals where women are giving birth,

killing children, bombing schools, destroying families, innocent civilians—for what? To return a dream of a Soviet Union that never existed; to return a dream of being a modern-day czar when that is not something you really want to be? No.

Let us Senators—Republicans and Democrats—stand up and say: OK. We are going to do our job. We are going to vote for our legislation. We are going to vote for appropriations to help the President of the United States stand up and help the people of Ukraine. We all know what we are going to do. We all know what the stakes are. We all know what is here. Let's stop the press releases. Let's stop the grandstanding. Let's stand up and vote. Vote yes or vote no. Don't stand behind something where you say: Well, I might be judged this way or I might be judged that way on a vote.

Just as the Presiding Officer has cast tough votes, we all do. I voted 17,000 times on this floor. I was proud to do it. Was I right on every single vote? I am sure I can go back over those and say: What was I thinking? But I tried to do what is best.

We know what is best now: fund our government, pay for our young people, pay for our schools, pay for our nutrition, pay for feeding Americans but also pay for helping Ukrainians who are standing up against a war criminal.

We all proudly say we stand for democracy and the ideals of democracy. Let's do it. The people of Ukraine are.

When I think of the malignant lie—terrorist things that come from Russia against the proud people of Ukraine—I think of the Putin group calling President Zelenskyy a Nazi. He is Jewish and proud of it. He couldn't be further away from being a Nazi. He is a man who could have fled his country as so many others have. He stayed there to protect his country, to stand with his country. Shouldn't we stand with him too? I think we should.

I urge my Senate colleagues, come in here. You go home and talk about how I voted for this; I voted for that. Well, come and vote. Come and vote. Let's get this bill passed.

I will probably say more as we go forward in this. I know there are other Senators—like the distinguished senior Senator of Michigan who is about to speak.

I will yield the floor on this. I have been here and had to vote over and over. As I said, I voted 17,000 times. I think there is only one person in history who has voted more than that. These haven't all been easy votes. I have had to wrestle with my conscience.

I go back to one of the first critical votes I cast as the newest, most junior Member of the Senate—a 34-year-old Member of the Senate—the junior-most member of the Armed Services Committee. We were asked to vote to continue the war in Vietnam. I campaigned against the war in Vietnam, and, ironically enough, at that time,

the majority in Vermont supported the war. I did not. In my own conscience, I did not. So we had five votes in committee to continue. Each time, the vote to continue failed by one vote. I was the newest and youngest member of that committee, and I voted no. I became the only Vermonter ever to vote to end the war in Vietnam, and I was told that would end my Senate career; I was done. I think back 48 years to that time, and I know at the end of this term, I will leave, but I will leave on my own accord, not because of a vote I cast.

Every one of us should know, cast what is right in your conscience. Cast what is right in your conscience. That is worth more than an election.

Vote for this. Get it done. Show Ukraine that the greatest democracy and the longest lasting democracy currently in the world—the United States—stands with you.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

#### ORDER OF BUSINESS

Mr. SCHUMER. I ask unanimous consent that it be in order to call up the following amendments to the motion to concur with an amendment: Lee No. 4989, Braun No. 4990, Kennedy No. 4983; that they be the only remaining amendments in order to the House message on H.R. 2471; that at 8:30 p.m. today, the Senate vote in relation to the amendments in the order listed; that upon disposition of the amendments, the motion to refer and the motion to concur with an amendment be withdrawn and the Senate vote on the motion to concur in the House amendment to the Senate amendment to H.R. 2471, and with 60 affirmative votes required for adoption of Kennedy No. 4983 and the motion to concur, with 2 minutes for debate equally divided between each vote, and all votes after the first vote be 10 minutes; finally, that if the motion to concur is agreed to, the motion to reconsider be considered made and laid upon the table without intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Ms. STABENOW. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, across America, our schools are open and our children are back in the classroom, and that is great news for everyone.

Unfortunately, providing our children healthy food has been a real challenge for schools thanks to supply chain challenges that are happening in many places and almost in every State.

This chart shows the supply chain disruptions across the country, with the red being almost 100 percent of the schools having supply chain challenges and disruptions.

Over 90 percent of the schools in the majority of the country are having challenges just buying the food they

need for the children. That is why, during the pandemic, Congress made sure schools and meal providers had flexibility to continue to feed hungry children.

Ninety percent of our schools, from rural Alaska to downtown Louisville, are still relying on these flexibilities to keep their children fed. Extending these bipartisan tools in the omnibus package is essential to helping schools ease back into regular operations for our children.

Nutrition operations at schools are working hard. They are working as hard as they can to get back to normal, but it takes time, and the waivers help. When basic staples like chicken and whole grains cost double, waivers help schools in Caribou, MN, for instance, keep feeding kids. When supply chain limits available food options like ground beef or fruit, schools in Bismarck, ND, for instance, can use substitutions to put together healthy lunches.

Hunger doesn't go away just because school is out. Thanks to these waivers, communities from Michigan, to Kentucky, to Utah were able to feed more children over the summer, particularly in rural communities.

If schools or meal providers are unable to serve meals because of ongoing challenges, that hurts all of our children. Over 2,000 groups, from the School Nutrition Association, to Feeding America, to local school boards and superintendents and administrators, have all called on Congress to do what is right and extend these waivers.

Mr. President, I ask unanimous consent to have these letters printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NOVEMBER 10, 2021.

DEAR CHAIRWOMAN DELAUNO, RANKING MEMBER GRANGER, CHAIRMAN LEAHY, VICE CHAIRMAN SHELBY, CHAIRMAN BISHOP, RANKING MEMBER HARRIS, CHAIRWOMAN BALDWIN, RANKING MEMBER HOEVEN: At the start of the COVID-19 pandemic, Congress gave the U.S. Department of Agriculture (USDA) the authority to issue nationwide child nutrition waivers to address access and operational challenges created by the pandemic, allowing school nutrition programs, local government agencies, and nonprofit organizations to adapt as necessary to changes such as school closures and virtual learning. This authority was established through the Families First Coronavirus Response Act (Public Law 116-127), extended for Fiscal Year 2021 through the Continuing Appropriations Act, 2021 and Other Extensions Act (Public Law 116-159) and again extended to June 30, 2022 through the Extending Government Funding and Delivering Emergency Assistance Act (Public Law 117-43). Without these waivers, the child nutrition programs would not have been able to adequately respond to the fallout from COVID-19. The meals provided through the child nutrition programs have been critical to our nation's pandemic response to childhood hunger.

Unfortunately, the COVID-19 pandemic is far from over. Families continue to need support, and school nutrition departments and community sponsors still struggle to operate under the unique circumstances created by



the pandemic. Contrary to where many people thought and hoped we would be at this point in the pandemic, COVID-19 continues to be a threat causing school closures and requiring students to stay home in quarantine. It is unclear when schools and community organizations will be able to fully return to normal operations, particularly in light of future variants of COVID-19 that may develop.

When the Public Health Emergency does finally end, it will take time for nutrition operations to recover from the challenges created during the pandemic: to rebuild their programs and overcome the significant financial impact. USDA will need waiver authority to support schools and program operators through the summer and as the school year begins.

The authority to provide a nationwide waiver in response to the pandemic, even if it increases program costs, has only been extended to June 30, 2022 and waivers cannot be provided beyond the 2021-2022 school year (which the statute defines as ending each year on June 30). This arbitrary deadline means that summer meal programs will not be able to operate under the same program rules through the entire summer. It also takes away USDA's ability to respond to the operational and access challenges that are likely at the start of the new school year in what will hopefully be the first year back to normal school nutrition operations.

We, the undersigned organizations, ask Congress to further extend USDA's nationwide waiver authority to September 30, 2022 to give USDA the flexibility needed to respond to the pandemic as well as its aftermath, and to ensure that the federal child nutrition programs continue to operate and provide healthy snacks and meals to students.

Sincerely,

AASA, The School Superintendents Association; Academy of Nutrition and Dietetics; Afterschool Alliance; American Commodity Distribution Association; American Heart Association; Boys & Girls Clubs of America; Bread for the World; Center for Biological Diversity; Center for Science in the Public Interest (CSPI); Children's Defense Fund; Feeding America; First Focus Campaign for Children.

FoodCorps; Food Research & Action Center; MomsRising; National Education Association; National Farm to School Network; National PTA; National Recreation and Park Association; School Nutrition Association; Share Our Strength; Urban School Food Alliance; YMCA of the USA.

FEBRUARY 4, 2022.

DEAR CHAIRWOMAN DELAURO, RANKING MEMBER GRANGER, CHAIRMAN LEAHY, VICE CHAIRMAN SHELBY: We are members of the Mayors Alliance to End Childhood Hunger, a nonpartisan coalition representing more than 65 mayors across the nation working in partnership with Share Our Strength's No Kid Hungry Campaign to ensure that every child has the healthy food they need to thrive. We appreciate Congress' ongoing efforts to help the millions of children who rely on federal child nutrition programs as a daily source of nutrition. At the start of the pandemic, Congress provided the U.S. Department of Agriculture (USDA) with the authority to issue nationwide child nutrition waivers to ensure that children would continue to have access to healthy meals despite COVID-19 related disruptions and safety precautions.

With the pandemic continuing, we urge Congress to extend USDA's waiver authority through the 2022-2023 school year, giving USDA the authority to provide community organizations and school nutrition providers

with the critical flexibilities needed to respond to public health requirements and supply chain disruptions. This is necessary to ensure that the federal child nutrition programs continue to operate and provide healthy meals and snacks for vulnerable children.

Our cities are on the frontline of responding to challenges in our communities, and as mayors, we need every option available to fight childhood hunger. Waivers for child nutrition program requirements have allowed schools, community partners, and other organizations in our cities to operate with the flexibility to meet the growing need while protecting the health and safety of kids during the pandemic. However, these critical waivers are currently set to expire at the end of the 2021-2022 school year, and the USDA does not have the authority to issue or extend waivers beyond that point unless Congress acts. The uncertainty about the extension of USDA's waiver authority is a significant barrier to schools and community organizations trying to make plans to feed children this summer and next school year since the requirements affect budgets, staffing, and vendors. Furthermore, the expiration of USDA's waiver authority at the end of the 2021-2022 school year further limits summer meal programs by not operating under the same programs by not operating under the same program rules across the entire summer. With deadlines looming, especially for summer operations, organizations must have the reassurance they need that they will be able to safely run programs despite ongoing challenges. This hits our communities particularly hard because summer is the hungriest time for children. Summer hunger should not be intensified because meal programs lack the flexibility they need to reach kids.

The suite of child nutrition waivers has given community organizations and school nutrition providers critical flexibilities that have:

Supported families who needed to pick up multiple meals at a time in one location as they returned to work or faced transportation challenges.

Allowed for social distancing protocols through grab-and-go meal distribution or delivery.

Ensured that children who need meals are getting nutritious food as families continue to struggle economically through the pandemic.

Helped school nutrition providers support a return to "normal" in-person learning with the flexibility to implement safety precautions and overcome supply chain and labor disruptions.

Child nutrition programs play a critical role in helping kids learn, stay healthy, and thrive.

Again, we urge Congress to act now by extending USDA's waiver authority so that schools and community organizations have ample time to ensure that no child struggles to find their next meal.

Sincerely,

Levar Stoney, Chair, Mayors Alliance, Mayor of Richmond, VA; John Giles, Vice Chair, Mayors Alliance, Mayor of Mesa, AZ; Timothy L. Ragland, Mayor of Talladega, AL; Randall Woodfin, Mayor of Birmingham, AL; Hilrey Adams, Mayor of Mountain Home, AR; Lionel Jordan, Mayor of Fayetteville, AR; Regina Romero, Mayor of Tucson, AZ.

London Breed, Mayor of San Francisco, CA; Martha Guerrero, Mayor of West Sacramento, CA; Darrell Steinberg, Mayor of Sacramento, CA; Michael B. Hancock, Mayor of Denver, CO; Luke Bronin, Mayor of Hartford, CT; Muriel Bowser, Mayor of Washington, DC; John E. Dailey, Mayor of Talla-

hassee, FL; Lori Lightfoot, Mayor of Chicago, IL.

Sharon Weston Broome, Mayor of Baton Rouge, LA; Kim Driscoll, Mayor of Salem, MA; Jake Day, Mayor of Salisbury, MD; Michael Foley, Mayor of Westbrook, ME; Andy Schor, Mayor of Lansing, MI; Chokwe A. Lumumba, Mayor of Jackson, MS; Pam Hemminger, Mayor of Chapel Hill, NC; Elaine O'Neal, Mayor of Durham, NC.

Sandy Roberson, Mayor of Rocky Mount, NC; Leirion Gaylor Baird, Mayor of Lincoln, NE; Dave Fried, Mayor of Robbinsville, NJ; Jeff Martin, Mayor of Hamilton, NJ; Kenneth Miyagishima, Mayor of Las Cruces, NM; Alan Webber, Mayor of Santa Fe, NM; Hilary Schieve, Mayor of Reno, NV; Malik Evans, Mayor of Rochester NY.

Kathy Sheehan, Mayor of Albany, NY; Justin M. Bibb, Mayor of Cleveland, OH; Tito Brown, Mayor of Youngstown, OH; Andrew J. Ginther, Mayor of Columbus, OH; Ted Wheeler, Mayor of Portland, OR; James Kenney, Mayor of Philadelphia, PA; Jorge O. Elorza, Mayor of Providence, RI; Brandon L. Weatherford, Mayor of Eutawville, SC.

Eric Johnson, Mayor of Dallas, TX; Trey Mendez, Mayor of Brownsville, TX; Ron Nirenberg, Mayor of San Antonio, TX; Mattie Parker, Mayor of Fort Worth, TX; Sylvester Turner, Mayor of Houston, TX; Barbara Tolbert, Mayor of Arlington, WA; Satya Rhodes-Conway, Mayor of Madison, WI; Steve Williams, Mayor of Huntington, WV.

FEBRUARY 4, 2022.

DEAR CHAIRWOMAN DELAURO, RANKING MEMBER GRANGER, CHAIRMAN LEAHY, VICE CHAIRMAN SHELBY, CHAIRMAN BISHOP, RANKING MEMBER HARRIS, CHAIRWOMAN BALDWIN, RANKING MEMBER HOEVEN: We, the undersigned national, state, and local organizations, ask you to further extend USDA's nationwide waiver authority through School Year 2022-2023 in recognition of the ongoing pandemic, the continuing school closures, and the need for flexibility to meet the needs of students.

At the start of the COVID-19 pandemic, Congress gave the U.S. Department of Agriculture (USDA) the authority to issue nationwide child nutrition waivers to address access and operational challenges created by the pandemic, allowing school nutrition programs, local government agencies, and nonprofit organizations to adapt as necessary to changes such as school closures and virtual learning. This authority was established through the Families First Coronavirus Response Act (Public Law 116-127), extended for Fiscal Year 2021 through the Continuing Appropriations Act, 2021 and Other Extensions Act (Public Law 116-159) and again extended to June 30, 2022 through the Extending Government Funding and Delivering Emergency Assistance Act (Public Law 117-43). Without these waivers, the child nutrition programs would not have been able to adequately respond to the fallout from COVID-19. Throughout the pandemic schools and community meal sponsors have relied on these waivers to keep children fed during short- and long-term closures, alleviate child hunger, and advance racial equity and child well-being.

Unfortunately, the COVID-19 pandemic is far from over. Families continue to need support, particularly Black, Hispanic, and Indigenous families who disproportionately lack reliable access to healthy meals, and school nutrition departments and community sponsors still struggle to operate under the unique circumstances created by the pandemic. Contrary to where many people thought and hoped we would be at this point in the pandemic, COVID-19 continues to be a threat causing frequent school closures and

requiring students to stay home in quarantine and miss meals. Currently short and long-term school closures are occurring constantly across the country. They are due not only to COVID exposures and the need to quarantine but to staffing shortages and teacher burnout. It is unclear when schools and community organizations will be able to fully return to normal operations, particularly in light of omicron and future variants of COVID-19 that may develop.

The authority to provide a nationwide waiver in response to the pandemic, even if it increases program costs, has only been extended to June 30, 2022 and waivers cannot be provided beyond the 2021–2022 school year (which the statute defines as ending each year on June 30). This arbitrary deadline means that summer meal programs will not be able to operate under the same program rules through the entire summer, forcing many providers to stop serving meals or shut down altogether and leaving millions of children without access to healthy meals. The June 30th expiration also takes away USDA's ability to respond to the supply chain, operational, and access challenges that are likely despite what will hopefully be the first year back to normal school operations. Moreover, it denies schools and other sponsors the tools and flexibilities they need to recover from the impacts of the pandemic and resume normal operations.

We, the undersigned national, state and local organizations, ask Congress to further extend USDA's nationwide waiver authority through School Year 2022–2023 to ensure USDA has continued flexibility to respond to the ongoing and evolving impacts of the pandemic as well as its aftermath, and to ensure that the federal child nutrition programs continue to operate and provide healthy snacks and meals to students.

Sincerely,

#### NATIONAL ORGANIZATIONS

AASA, The School Superintendents Association; Academy of Nutrition and Dietetics; Advocates for Better Children's Diets; Affinity Group; Afterschool Alliance; Agudath Israel of America; All Our Kin; Alliance for a Healthier Generation; Alliance to End Hunger; American Academy of Pediatrics; American Commodity Distribution Association; American Diabetes Association; American Federation of State, County and Municipal Employees (AFSCME); American Federation of Teachers; American Heart Association.

American Public Health Association; American Society for Nutrition; AMIKids, Inc; Aramark; Association of School Business Officials International (ASBO); Association of SNAP Nutrition; Education Administrators (ASNNA); Association of State Public Health Nutritionists; Autistic People of Color Fund; Azimuth Trust; Baylor Collaborative on Hunger and Poverty; Better Tomorrows; Black Men's Health Initiative; Boys & Girls Clubs of America; Bread for the World; Buena Vista Foods; BUILD Initiative; CACFP Roundtable.

Center for American Progress; Center for Biological Diversity; Center for Law and Social Policy (CLASP); Center for Science in the Public Interest; Chef Ann Foundation; Child Care Aware of America; Child Care Resources, Inc. of VA, DC, MD, OH, PA, TX; Children's Defense Fund; Children's HealthWatch; Childs on Wheels; Church World Service; Coalition for Healthy School Food; Coalition on Human Needs; Common Threads; Commonwealth Care Alliance; Compass Group USA; Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces; Congressional Hunger Center; Council of Chief State School Officers; DataHash LLC.

Disciples Center for Public Witness; Deliverance Children's Ministry; Don Lee Farms; E S Foods; Eat REAL; Empowering Pacific Islander Communities (EPIC); Equal Heart; Evangelical Lutheran Church in America; F.I.S.H.; Fair Food Network; Feeding America; First Children's Finance; First Focus Campaign for Children; Food for Good; Food Insight Group; Food Research & Action Center.

FoodCorps; Fork Farms Foundation; Friends of the Earth; GIVEN; Gold Kist Farms; Healthy Food America; HEAR US Inc.; Hip Hop is Green; Hispanic Federation; Hunger Free America; Institute For Child Success; International Dairy Foods Association; International Fresh Produce Association; Islamic Relief USA; Jack Link's Protein Snacks; John F. Kennedy Family Service Center; Johns Hopkins Center for a Livable Future; KidKare by Minute Menu; Kitchen Sync Strategies.

Laurie M. Tisch Center for Food, Education & Policy; Leonetti's Frozen Foods Inc; Love Little Children, Inc.; LunchAssist; M.C.I. Foods, Inc.; MAZON: A Jewish Response to Hunger; Migrant Legal Action Program; MomsRising; National Association of Elementary School Principals; National Advocacy Center of the Sisters of the Good Shepherd; National Association for Family Child Care; National Association for the Education of Young Children; National Association of Councils on Developmental Disabilities; National Association of Pediatric Nurse Practitioners.

National Association of Social Workers; National Association of State Directors of Migrant Education; National CACFP Sponsors Association; National Community Action Partnership; National Council of Jewish Women; National Education Association; National Farm to School Network; National Food Group; National Immigration Law Center; National Indian Child Care Association; National Life Group Foundation; National Milk Producers Federation; National PTA; National Recreation and Park Association; National School Boards Association; National WIC Association; National Women's Law Center.

Native Farm Bill Coalition; Norris Products Corporation; Northwest Nutrition Service; Olsson Frank Weeda Partnership for America's Children; Poetry X Hunger; Porter-Leath; Public Advocacy for Kids (PAK); Public Health Institute; RESULTS; Revolution English/Noticias para Inmigrantes; Revolution Foods; Save the Children; Save the Children Action Network (SCAN); School Nutrition Association; SchoolHouse Connection; Share Our Strength; Shriver Center on Poverty Law; Slow Food USA.

FEBRUARY 28, 2022.

DEAR SENATOR STABENOW: On behalf of the Michigan Association of Superintendents and Administrators, I am writing to urge you to extend the U.S. Department of Agriculture's nationwide waiver authority to September 30, 2022 to give USDA the flexibility needed to respond to the pandemic and to ensure that the districts operating federal child nutrition programs continue to operate and provide healthy snacks and meals to the students.

At the start of the COVID-19 pandemic, Congress gave the U.S. Department of Agriculture (USDA) the authority to issue nationwide child nutrition waivers to address access and operational challenges created by the pandemic, allowing school nutrition programs and local government agencies to adapt as necessary to changes such as school closures and virtual learning. These waivers have been critical in ensuring that child nutrition programs can adequately respond to

the fallout from COVID-19 and continue to provide meals to children.

Unfortunately, the COVID-19 pandemic is far from over. Families continue to need support, and school nutrition departments and community sponsors still struggle to operate under the unique circumstances created by the pandemic. When the Public Health Emergency does finally end, it will take time for nutrition operations to recover from the challenges created during the pandemic: to rebuild their programs and overcome the significant financial impact. USDA will need waiver authority to support schools and program operators through the summer and as the school year begins.

The authority to provide a nationwide waiver in response to the pandemic, even if it increases program costs, has only been extended to June 30, 2022 and waivers cannot be provided beyond the 2021–2022 school year (which the statute defines as ending each year on June 30). This arbitrary deadline means that summer meal programs will not be able to operate under the same program rules through the entire summer. It also takes away USDA's ability to respond to the operational and access challenges that are likely at the start of the new school year in what will hopefully be the first year back to normal school nutrition operations.

Additionally, districts need stability and clarity as they prepare for the 2022–2023 school year and should know whether the waivers will be available.

Thank you very much for your attention to this matter.

MATT SCHUELLER,  
*Director of Government Relations,  
Michigan Association of Superintendents and Administrators.*

Ms. STABENOW. We all want life to get back to normal. Right now, we need our Republican colleagues to support the bipartisan tools that will help get us there.

This amendment is a short extension. There is a clear end date when schools will be back to normal operations, but in the meantime, these waivers are key to helping schools stay open and operate in person for our children.

Taking these waivers away would leave schools and summer meal programs scrambling, and that hurts up to 30 million kids who eat school meals—30 million kids. Smaller rural schools and their students would undoubtedly be hurt the worst.

It is time for Congress to stand with our schools and with our children. So would the Senator agree to modify his request to include a vote in relation to Stabenow amendment No. 2994?

THE PRESIDING OFFICER. Is there objection to the modification?

The Senator from North Carolina.

Mr. TILLIS. Mr. President, speaking on behalf of Leader MCCONNELL and with all due respect to my friend from Michigan, this is a COVID-related provision which the Biden administration never requested. It is not in the President's budget. It is not even in the supplemental budget. The administration asked for everything under the Sun, but they never asked for this.

This is another example of my colleagues trying to take an emergency pandemic, the exemptions, and turn



them into permanent changes that last forever. Families don't want schools to be permanently stuck in a pandemic posture. Families want schools to move past COVID and get back to normal. Yet this amendment would continue policies that were explicitly designed to help schools close and go virtual. That is exactly what families don't want. Parents and kids want schools open.

Finally, this amendment costs \$11 billion, and it is not offset. For the people watching this tonight, that means it is not paid for. It is \$11 billion more that we can't afford.

We had a fully-paid-for COVID package ready to go until the House Democrats blew it up. We will not be going around the backs of our own Senate committees of jurisdiction because House Democrats killed a bipartisan COVID package.

So I respectfully object.

The PRESIDING OFFICER. Objection is heard to the modification.

Is there objection to the original request?

Without objection, it is so ordered.

The majority leader.

Mr. SCHUMER. Mr. President, now, in the last 4 days alone, the U.S. Senate has passed a sweeping postal reform bill, unanimously approved anti-lynching legislation, approved emergency aid to Ukraine, and now we are about to fully fund the government. From start to finish, it has been a very productive and very bipartisan week in the Senate. If we could boil down this week to three words in the Senate, they would be "productive," "bipartisan," and "successful."

In a few moments, the Senate will pass the strongest, boldest, and most significant government funding package we have seen in a long time. This bipartisan funding package is a significant and far-reaching win for the American people, and I am glad the Senate moved as quickly today as I hoped we would.

To my colleagues on both sides of the aisle, I say: Bravo. A job well done.

We are keeping our promise to support Ukraine as they fight for their lives against the evil Vladimir Putin. With nearly \$14 billion in emergency aid, Congress will approve more than double what the administration originally requested. We took the President's original request for Ukraine aid, examined it, and added to it, and every last penny of the money will be well spent. We are giving the Ukrainians billions for food, medicine, shelter, and support for the over 2 million refugees who have had to leave Ukraine, as well as funding for weapons transfers like Javelins and Stingers.

We are going to reassure and strengthen NATO and add teeth to our defenses against Russia's malicious cyber warfare.

We promised the Ukrainian people they would not go at it alone in their fight against Putin, and once we pass this funding in a short while, we will keep that promise.

On the domestic front, this funding bill is awash with good news for our country. We are about to give our troops a pay raise. We are increasing funding for our schools and Head Start Programs and Pell grants. We are re-viving at last the Violence Against Women Act. We are kick-starting the President's Cancer Moonshot. And with this package, we will unlock billions upon billions to fully fund the bipartisan infrastructure law.

Of course, we didn't get everything we hoped for. In the weeks ahead, we must—we absolutely must—to secure more COVID money. COVID funding is about being prepared. By funding vaccines and therapeutics and testing, we will be ready for the next variant and stand a better chance of keeping schools open and preserving normality in our daily lives. We are going to keep working on this. It is too important to ignore.

Now, as we reach the finish line, I want to sincerely thank Chairman LEAHY and Ranking Member SHELBY. What a fitting and worthy accomplishment as they near the end of their tenures in office.

I have always said from my first day as majority leader that Democrats would be willing to work in a bipartisan way to get things done whenever we could. Once the omnibus passes, the Senate will have sealed the deal on three major, bipartisan accomplishments this week alone.

Of course, when we are unable to find common ground, Democrats will hold firm in defense of our values and be willing to work alone if needed, but this week, bipartisanship has propelled us over the finish line. It has not been easy to put this package together, but we are moments away from getting it done, and I thank my colleagues from both sides of the aisle.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. BRAUN. Mr. President, the majority leader referred to what we are doing this evening as "awash with good news." Well, it is also awash with earmarks. They have not been around for over 10 years, and we are bringing them back.

I am going to call up an amendment here in a bit that is going to talk about what to do about them, but I think you need to have a backdrop of what we are doing here this evening.

I am on the Budget Committee, and we didn't report out a budget resolution, and I don't think we have done a budget consistently for over 10 years.

This is the biggest business in the world that now is spending close to \$5 trillion—only \$1.5 trillion of it that is even subject to review because the one ingenious thing that we have done here is put most of our spending on autopilot. That is what drives the government currently, and that means that the Budget Committee is a useless appendage because we don't use it anymore.

I got here a little over 3 years ago. We were \$18 trillion in debt. Now we are over \$30 trillion in debt, and everyone seems to shrug their shoulders. That is not a good business plan, for Americans to be borrowing money, even if it has good stuff in it, when it is for consumption. It will only end up in a hard reconciliation down the road.

Now, let's talk about earmarks. It is kind of a gateway drug to more spending. There are 367 pages of earmarks. I just took a quick poll how much it weighs in paper—4 to 5 pounds. We haven't had them for over 10 years, and now they are back.

In the House, they said they are OK with it. In the Senate, the other side of the aisle said they are OK with it. We said we are not OK with it in our Republican conference, but any Senator can do it anyway.

Those are called gimmicks and loopholes, and that is the way the place works. None of us here are sure how much money is actually being devoted to these. It is a wasteful tool that was away for a long time, and it is on top of a budget that was never done, and what we are doing this evening was supposed to have been done by September 30 of last year. Too many people depend on this place to have a system that is run by the seat of its pants.

You bring the earmarks back—well, there are supposed to be a few rules that go with them.

You are supposed to make them public 2 days before you actually have to vote on them. Well, that didn't happen. The text was released at 1:30 a.m. yesterday—2,700 pages. The House passed it only after 20 hours of review. That is at the rate of about having to come up with finding out a billion dollars a minute of what is in it.

Members are supposed to have a financial disclosure attached to any earmark. That hasn't happened either. It is just one of those simple details that seem to never get attended to in this place.

Let's look at a few of the doozies.

One earmark spends half a million dollars to promote health equity in Yonkers in New York.

One spends \$1.6 million for university research into equitable shellfish aquaculture. I don't know what that is, but it is in Rhode Island.

One earmark spends \$300,000 on the Alliance for Gun Responsibility Foundation, a leftwing lobbying group that claims that the Second Amendment has a history of being used as a tool of White supremacy.

These are three samples of hundreds and hundreds of earmarks. It is not what the American public deserves. They expect more out of us. It should be a merit-based system on what we spend here. It should be going through regular order on the Budget Committee I am on, where you bring people in to testify. Do you actually need more money? What you did spend the year before, was it spent well? That is the way all other places in this country do

it because it is the only thing that works. Here, the system has been so degraded, this is what we end up with.

I will end with this: Most of my colleagues here, I think, view this place as a growth business, but a growth business is based on a few things. You generally make a profit. That is not what this is about. But you balance your budget, you do things that make sense year after year. And when you are spending money that constitutes almost 20 percent of our GDP, you would think you would put more into it than dropping 2,700 pages in our lap and thinking that you can get through it.

For those who want more of this, for the sake of the institution, you ought to be concerned about what it is going to look like down the road when we add another \$1.5 trillion in debt to our current \$30 trillion, and there is no end in sight. A lot of stories have been written throughout history on where that ends up, and it is in the ditch.

The Medicare trust fund will be completely exhausted in about 4½ years; 18 percent benefit cuts when that happens.

Actuarially, we have known the Social Security fund is going to go broke in about 10 or 11 years. What will we do? We will probably wait until the year before it happens, not make any other reforms, and then borrow the money to backfill it and put more and more obligation on our kids and our grandkids.

I am going to call up my amendment in a bit.

I will yield the floor at this time.

#### EB-5 REFORM AND INTEGRITY ACT OF 2022

Mr. GRASSLEY. Mr. President, I would like to thank Senator LEAHY for joining me to discuss the EB-5 Reform and Integrity Act of 2022. He and I have worked together on the issue of EB-5 reform for many years.

Because of that, we are proud that the Consolidated Appropriations Act 2022 includes the provisions of the EB-5 Reform and Integrity Act of 2022, of which we are the primary authors.

Congress originally authorized the EB-5 Regional Center program in 1993 as a pilot program, and, in recent years, its reauthorization was often included in appropriations bills. However, due to lack of an agreement to reauthorize and reform the program last year, it lapsed on June 30 and has remained lapsed since that time.

This legislation formally repeals the pilot program created by Congress in 1993 and codifies in its place a new regional center program reflecting a number of reforms that we have pursued for many years.

All regional centers which operated under the lapsed and repealed pilot program will be expected to seek a new regional center designation in compliance with the new requirements and reforms laid out in our bill. However, the bill allows petitions filed by immigrant

investors under the old pilot program to continue to be adjudicated under the law as it existed when they were filed.

The EB-5 Reform and Integrity Act of 2022 codifies a number of our long-sought reforms designed to enhance the integrity of the regional center program and prevent fraud and abuse that have plagued it for far too long.

The bill also requires that DHS issue regulations regarding the redeployment of investor funds if certain conditions are met. We expect USCIS to oversee redeployments and take action as necessary. Investors should not be left vulnerable and regional centers cannot be allowed to deploy funds in any way they please. We expect capital to remain at risk, as required by the law, and the redeployment of funds to be in projects that are preapproved.

The legislation codifies the definition of and the designation process for a “high unemployment” targeted employment area that was found in the 2019 EB-5 Immigrant Investor Program Modernization Rule. As under the 2019 rule, the bill allows only DHS to make such designations.

The codification of the so-called donut model from the 2019 rule will significantly limit the number of census tracts that may be used to seek a designation as a “high unemployment” TEA.

This limitation, combined with the exclusive authority of DHS to make high unemployment TEA designations, will crack down on the notorious practice of TEA gerrymandering, the practice of creating elaborate configurations of multiple census tracts strung together so that a census tract with high unemployment at one end can be used in order to obtain a TEA designation for a building project within an affluent census tract at the other end, perhaps many miles away.

It is also our expectation that “high unemployment” TEA designations will be reserved for census tracts that have experienced persistently high unemployment for a number of years and not because of temporary anomalous circumstances such as local unemployment caused by the COVID-19 pandemic.

Finally, the legislation puts in place specific visa set-asides for rural area projects, high unemployment area projects, and infrastructure projects. The visa set-aside for infrastructure projects is limited to true public infrastructure projects—that is, those that benefit the public and the American people—not public-private partnerships or projects for a private business.

The EB-5 Reform and Integrity Act of 2022 is the result of years of hard work and negotiation, and it is our hope that it brings meaningful reform to a program badly in need of it and, most importantly, much-needed investment capital and the permanent jobs that can come with it, to inner city and rural areas where it is normally difficult, if not impossible, to attract investment capital. We are grateful

that it was included in the Omnibus bill and look forward to seeing it signed into law.

#### VIOLENCE AGAINST WOMEN ACT REAUTHORIZATION ACT OF 2022

Mrs. FEINSTEIN. Mr. President, I rise today in support of the Violence Against Women Act Reauthorization Act of 2022. This bill would reauthorize our Nation's critical law to respond to domestic violence. It is long overdue.

Last month, I introduced the Violence Against Women Act Reauthorization Act alongside Senators Ernst, Durbin, Murkowski, and others. A number of advocates joined us, including Angelina Jolie, to speak about the importance of this bill.

This bill has received strong bipartisan support, including from 11 Republican cosponsors. And it has now been included in the Federal Omnibus spending bill we are set to vote on this week.

This bipartisan bill would reauthorize the Violence Against Women Act through 2027. And the bill includes important updates to modernize the Violence Against Women Act to do an even better job of protecting and supporting the survivors of domestic violence, dating violence, sexual assault, and stalking.

I was proud to support the original Violence Against Women Act in 1994. And I have supported each reauthorization of the law since then.

This includes the most recent reauthorization in 2013, which passed the Senate by a strong bipartisan vote of 78–22.

I was honored to be able to sponsor this new reauthorization, which expands protections for survivors.

This bill is the result of a truly bipartisan effort. I would like to thank Senators Ernst, Durbin, and Murkowski for working with me to prepare this important piece of legislation.

We have also had help from a number of our Senate colleagues on both sides of the aisle who have made important contributions to this effort.

I would also like to thank the many advocates who provided valuable input and support for this effort. This bill was written in close consultation with the people who are on the frontlines helping survivors of domestic violence every day.

Together, we drafted a bill that preserves the good work of the last Violence Against Women Act reauthorization and strengthens existing programs.

For nearly 30 years, the Violence Against Women Act has played a vital role in the Federal response to domestic violence, dating violence, sexual assault, and stalking. I hope that this bill will be an effective tool to build on those efforts.

The need to reauthorize the Violence Against Women Act is clear. These programs are vital tools that provide thousands of domestic violence survivors with the resources they need.

For instance, according to the National Network to End Domestic Violence, in a single day in 2020 there were